

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PEDRO JARAMILLO,

Petitioner,

20 CIVIL 3570(LTS)

17 CR. 0004 (LTS)

-against-

**JUDGMENT**

UNITED STATES OF AMERICA,  
Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Order dated December 16, 2022, the Petitioner's motion pursuant to 28 U.S.C. Section 2255 is denied in its entirety. Because the record is sufficient to enable the Court to make the factual determinations necessary to resolve the motion, the Court also denies Petitioner's request for an evidentiary hearing. Petitioner may not appeal this Memorandum Order unless "a circuit justice or judge issues a certificate of appealability." 28 U.S.C.A. § 2253(c)(1) (Westlaw through P.L. 117-57). A certificate will be granted "if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C.A. §2253(c)(2) (Westlaw through P.L. 117-57); see generally *United States v. Perez*, 129 F.3d 255, 259-60 (2d Cir. 1997) (discussing the standard for issuing a certificate of appealability). The Court finds that Petitioner will not be able to sustain this burden and declines to issue a certificate of appealability. Furthermore, the Court certifies pursuant to 28 U.S.C. section 1915(a)(3) that any appeal from this Order would not be taken in good faith. See *Coppedge v. United States*, 369 U.S. 438, 444 (1962). This Memorandum Order resolves docket entry no. 1 in case number 20-cv-3570; accordingly, the case is closed, and any pending motions are moot.

**DATED:** New York, New York  
December 19, 2022

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

A handwritten signature in black ink, appearing to be 'RJ', is written over a horizontal line.

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**Deputy Clerk**